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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,057	10/01/2003	Alexander I. Wallstein	27855/38705B	7757

4743 7590 07/08/2004

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EXAMINER

SINGH, SUNIL

ART UNIT	PAPER NUMBER
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3673

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/676,057

Applicant(s)

WALLSTEIN ET AL.

Examiner

Sunil Singh

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/13/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. Claims 1,8-12, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calandra Jr. et al. (US 6322290) in view of Roopnarine (US 6712574).

Calandra, Jr. et al. discloses a barrel (70), a bore (see Figs. 1,2), a pair of wedges (72,52). Calandra, Jr. et al. discloses the invention substantially as claimed. However, Calandra, Jr. et al. is silent about a recess countersink arrangement. Roopnarine teaches a recess countersink arrangement (see Figures). It would have been considered obvious to one of ordinary skill in the art to modify Calandra, Jr et al. to include the recess countersink arrangement as taught by Roopnarine since such an arrangement allows the driving nut to be less like to back it's way out.

2. Claims 6,7, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calandra, Jr et al. as applied to claims 1, 12 respectively above, and further in view of Sommer et al. (US Pub 2003/0068214).

Calandra, Jr et al. (once modified) discloses the invention substantially as claimed. However, the (once modified) Calandra, Jr et al. is silent about including a retaining barbs. Sommer et al. teaches retaining barbs (see Figs.). It would have been considered obvious to one of ordinary skill in the art to further modify the (once modified) Calandra, Jr et al. to include retaining barbs as taught by Sommer et al. in order to reduce the chance of the nut backing out.

Art Unit: 3673

3. Claims 2-5, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calandra, Jr et al. as applied to claims 1, 12 respectively above, and further in view of either Ekshtut or Miyagawa or Shinjo or Fuller (US 4367664, 4384812, 5219253, 5797659)

Calandra, Jr et al. (once modified) discloses the invention substantially as claimed.

However, the (once modified) Calandra, Jr et al. is silent about the recess being shaped to receive both a square/hexagonal nut. Ekshtut, Miyagawa, Shinjo and Fuller all teach recess shaped to receive both a square/hexagonal nut (see Figs.). It would have been considered obvious to one of ordinary skill in the art to further modify the (once modified) Calandra, Jr et al. to include a recess shaped to receive both a square/hexagonal nut as taught by either Ekshtut or Miyagawa or Shinjo or Fuller in order to be able to use multiple tightening tools.

### ***Conclusion***

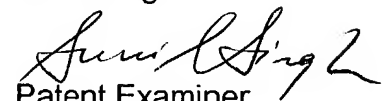
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunil Singh whose telephone number is (703) 308-4024. The examiner can normally be reached on Monday through Friday 8:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on (703) 308-2978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sunil Singh

  
Patent Examiner  
Art Unit 3673

SS  
SS  
6/16/2004